

A.

License granted to Toddy Farmer in the district of

I, Deputy Commissioner of the District,
 under the provisions of the Excise Act, hereby appoint you,
 son of _____ residing at _____ to be the renter of
 the exclusive privilege of vending toddy in the toddy farm of
 in the Taluk of _____, in the District of _____, from the 1st day
 of _____ 18 to the _____ day of _____ 18,
 subject to the following conditions and stipulations to be observed by you, the said

CONDITIONS.

1. The exclusive privilege conferred by the license extends only to the vend of toddy for consumption within the farm, and shall not include the sale of Bagani toddy.
2. The Deputy Commissioner shall be at liberty to issue licenses for the sale of foreign liquors, for the manufacture and sale of beer, and for the manufacture and sale of spirits.
3. (1) The amount for which the privilege above described, has been purchased, together with the local cess thereon, shall be payable into a Government Treasury in equal monthly instalments on the 15th of the month following that to which the payment relates.
- (2) If the deposit made by the licensee be in cash, it will be taken in payment of the instalments due in the last months of the period of the lease. If the deposit is in Government Promissory Notes, which he wishes to retain, they will be returned to him on payment of the whole of the rental due by him, otherwise they will be sold, and the sale proceeds taken towards the payment of the instalments due in the last months of the period of the lease, any balance still due being recovered as if it were an arrear of Land Revenue. Failing payment by the 15th of each month, the Amildar will immediately issue notice of re-sale of the licensee's exclusive privilege not later than the 5th of the following month, and will re-sell it on the day fixed. In that case the deposit will be applied to cover any arrears which may be due, and the loss, if any, sustained by Government by such re-sale; and if it shall be more than sufficient to do so, the balance will be forfeited. If, however, the deposit should fall short of the arrears due and of the loss by the re-sale, such arrears and losses together with interest, shall be recovered by the attachment and sale of the property of the defaulter and of his sureties, if any, under the rules in force for the recovery of the arrears of Land Revenue.
- (3) The re-sale referred to, will, however, be subject to formal confirmation by the Deputy Commissioner who shall be at liberty to accept or reject any bid at discretion. Such formal confirmation will be tantamount to an acceptance of the bid. The accepted bid will represent the amount which is to be paid for the remaining period of the lease for the exclusive privilege.
- (4) If the Deputy Commissioner does not confirm the re-sale, he may make such other arrangements as may appear advisable for the remainder of the period of the lease, in which case he shall serve a notice on the licensee informing him of the nature of the arrangements made.
4. (1) (a) The licensee of a "direct supply farm" shall obtain the supply of toddy only from the grove or groves specially assigned to him.
- (b) If the number of trees in the above farm be more than the requirements of the shops attached thereto, the licensee shall supply any other Government farmer at _____ ghadas or seers per rupee according to the existing custom. The grove may, at the discretion of Govern-

- ment, be sub-divided so as to allow the toddy to be drawn by the "direct supply and aiding (Aiyar Kumki) farm" or "shop farm," as the case may be.
- (c) Should the "direct supply farm" be inadequate to supply the wants of the licensee, he may make his own arrangements with private landholders for drawing toddy from trees on their lands, and to use such toddy for sale in the shops attached to his farm.
- (d) No toddy shall be sold or used for the manufacture of jaggery, except in shops in such localities and on such conditions as may be prescribed.
- (2) The licensee of a "direct supply and aiding farm", shall sell the toddy to another Government farmer at the usual rate prevailing in the locality, *viz.*, at ghadas or seers per rupee; or if so desired, Government shall divide the grove or groves so as to admit of the required supply of the shops attached to the said farm, or other class of farms, being obtained from the trees assigned therefor.
- (3) The licensee of the "shop farm" shall obtain the supply of toddy from a "direct supply and aiding farm," by paying the usual rate of that farm, or from such portion of the said farm as may be assigned to him for this purpose by Government. If there be a "grove farm" available, he may get his supply from such farm in preference to the former. He may also obtain his supply from landholders by making his own private arrangements with them.
- (4) The licensee of the "shop farm" in the taluks bordering on British Territory, may import and export toddy from and to the Districts of Bellary, Anantapur, Cuddapah, North Arcot, Salem and Coimbatore in the Madras Presidency, subject to para 4 of Rule 170 in Chapter XI of the Standing Orders of the Madras Board of Revenue.
- (5) The "grove farm" is an independent farm. The toddy drawn from the trees in it shall be utilized for the shop farm or any other farm which has no groves to supply itself with toddy; or it may be utilized by the manufacturer of jaggery, or by the farmer of shops in alienated villages which have no groves. If the "grove farm" has not trees sufficient to meet the demand of the shops, the licensee may make his own arrangements with landholders to purchase toddy from them and utilize the same for sale in the shops attached to his farm.
- (6) The licensee of farms in alienated villages will be allowed to draw toddy only from trees in the groves assigned to him.
5. The lessee shall not interfere with the licensees for cutting date leaves for mat-making, rope-making, basket-making, or for agricultural or other purposes, when they make use of the trees assigned for such purposes, and not reserved for tapping.
6. (1) The licensee of farms in other than alienated villages shall not draw toddy from trees in such villages, nor shall he give toddy to shops situated in such villages, as the right of the holders of such villages entitled to Toddy Revenue will be farmed separately.
- (2) Date groves or toddy shops in alienated villages shall be separately leased, and the amounts connected therewith shall be shown in the accounts under a distinct head. If there are no groves, but only shops in any alienated village, such shops shall constitute separate farms, and the licensee thereof shall be permitted to obtain his toddy from the "grove farm" or "direct supply and aiding farm" specified in his lease.
7. The licensee shall keep true and correct accounts showing:—
- (1) the names and situation of date topes from which toddy is drawn,
 - (2) the number of trees tapped,
 - (3) the quantity of toddy drawn daily,

- (4) the quantity of toddy sold daily, and
- (5) the names of the shops to which toddy is supplied.

These accounts shall be kept in such forms as may be prescribed by the Excise Commissioner, and shall be open to inspection by the Amildar or any other Officer authorized by the Amildar, or any Excise Officer appointed by the Deputy Commissioner for this purpose, and a copy thereof shall be furnished by the licensee to the Deputy Commissioner or Amildar on requisition, in such form as may be prescribed by the Excise Commissioner.

8. Toddy shall be sold only in shops duly sanctioned and licensed by the Deputy Commissioner.

9. The Deputy Commissioner may, whenever he thinks fit, direct shops to be closed or permit transfers of shops from one place to another, or direct new shops to be opened with the previous sanction of the Excise Commissioner. A sufficient supply of toddy shall be maintained in all sanctioned shops.

10. Each shop-keeper shall place the license granted to him in a conspicuous place in the shop.

11. A sign-board shall be affixed in a conspicuous part of the front of each shop containing, in the vernacular, the name of the shop-keeper and the price of the toddy sold by him.

12. The shop-keepers shall prevent all drunkenness or disorder or gaming within their shops.

13. No shop shall be opened before sunrise.

14. Shops shall be closed by 9 o'clock P. M. unless the Deputy Commissioner, for special reasons, shall authorize the keeping open of particular shops to a later hour.

15. The shop-keepers shall not harbour robbers or thieves or riotous persons, but, on the contrary, shall give intimation to the nearest Magistrate or Police Officer as to any such persons who may resort to their shops.

16. The shop-keeper shall not receive any grain, jewels, goods, wearing apparel, or other article in barter or in pawn for toddy, but on the offer of any such, shall give information to the nearest Magistrate or Police Officer.

17. No shop-keeper shall sell to any person more than three measuring seers of toddy to be consumed in the shop. Unless he holds a Pass, the shop-keeper shall not allow any one to take out of his shop more than one imperial quart, with the exception of bakers who are permitted to purchase and remove the quantity of toddy specified in the Pass held by them.

18. Shop-keepers shall be bound to furnish such returns and information as may, from time to time, be required by the Deputy Commissioner.

19. The distillation of spirit from toddy is absolutely prohibited.

20. No ingredients noxious to health shall be put into the toddy either to increase its intoxicating power or for any other reason.

21. The toddy shall be sold to the public, pure as drawn from trees, and shall be undiluted and unadulterated, and the rates at which it shall be sold shall be as follows per seer of the capacity of one imperial quart, 24 of such seers being equal to one ghada:—

		Price per seer.	
		Maximum.	Minimum.
In District Head Quarters...	...		
In Taluk Kasabas of the District		
In villages		

22. Shop-keepers shall use such measures as may, from time to time, be prescribed by Government.

23. The licensee shall have such measures tested and stamped at his own expense.
24. No toddy shall be sold or given to any European Non-Commissioned Officer or private soldier, or to any European or Eurasian Camp follower, or to any member of the families of any of the aforesaid persons, without the permission in writing, of the Commanding Officer, or of some person duly authorized by him in this behalf; nor to any sailor, nor to any sepoy, member of the Police Force, Excise Officer, or a servant of a Railway Company whilst on duty; nor to any European vagrant under escort of the Police; nor to any child under 12 years of age for consumption on the premises; nor shall any toddy be sold *on credit*.
25. The Deputy Commissioner may direct that all shops for the sale of toddy on, or adjacent to, the line of march, shall be closed, whilst a regiment or detachment of European or Native Soldiers is passing or encamped in the vicinity. Such soldiers may be supplied with toddy by such persons as the Government may select for the purpose, notwithstanding the licensee's exclusive privilege.
26. No remission or abatement of the rent shall, on any account whatever, be claimable by the licensee. The Government reserves the power to terminate the lease on public grounds, awarding a reasonable compensation to the licensee.
27. Except with the permission of the Excise Commissioner, the licensee shall not sell or sub-rent or transfer his farm or any portion of his farm.
28. Every person placed by the licensee in charge of shops shall, before entering upon his employment, execute the engagements prescribed by law. All engagements entered into by persons to be employed by the licensee on or after 18, shall be deposited with the Deputy Commissioner within one month from that date, or of the date of executing the engagement.
29. If it comes to the licensee's knowledge that any person employed by him in the manufacture, carriage or sale of toddy, commits any breach of the Excise Laws or of the engagements entered into by him, it shall be the licensee's duty to report the matter to the Deputy Commissioner, and to comply with the directions of the Deputy Commissioner respecting the further employment of such person.
30. During the term of the license, the licensee shall not have any interest in the exclusive privilege of selling country spirits in any part of the farm to which the license relates, or permit any person having any interest in the exclusive privilege of selling country spirits in any part of the farm, to hold any share or interest in the licensee's exclusive privilege of selling toddy.
31. Interest shall be payable upon all moneys due by the licensee at the rate of six per centum per annum.
32. The licensee shall provide himself with printed forms of permits for transport and possession of toddy. Such permits shall be in the form prescribed by the Excise Commissioner, and shall be purchased from local Excise Officers.
33. The licensee shall pay the usual Mohatarfa tax on carts used for conveying toddy, but such carts shall not be impressed for Government work.
34. The licensee shall be responsible that his servants or agents are prevented from extracting toddy from young immature date trees the trunks of which are less than one yard in height from the ground to the springing of the branches, nor shall any leaves be cut and used by them except such as may have to be removed for the purpose of drawing toddy, nor shall any trees be tapped in so careless a manner as to lead to their destruction; and any breach of these rules shall render the licensee liable to the payment of a penalty of Rs. 50 for each offence.
35. The licensee shall employ only professional toddy-drawers for tapping the trees.
36. In case of any breach of the conditions of the license either by the licensee, or with his connivance or privity, by any person in his employment, it shall be

Competent to the Deputy Commissioner to impose upon the licensee, a fine not exceeding the sum of Rs. 50, for every such breach of such conditions, or, at the option of the Deputy Commissioner, to declare the money or Government Promissory Notes deposited with him, forfeited, and to cancel the license and re-sell the exclusive privilege at his risk, or to place the farm under the management of Government, and all loss thereby caused shall be made good by him or his surety. It shall be lawful for the Deputy Commissioner to deduct the amount of all fines imposed under this clause, from any sums deposited by the licensee as security for the due performance of the conditions of the lease, or to realize the amount of such fines by the sale of any or all of the Government Promissory Notes deposited by him. Whenever a lease is cancelled, the rent for the whole period of the lease shall become due at once.

37. The imposition of a fine or the forfeiture of deposit, or the cancellation of the license under the last preceding condition, shall not be held to prevent the prosecution of any person for any offence which may be committed against the provisions of the Excise Act or any other law for the time being in force and relating to the Excise Revenue, or any other enactment under which the offence may be punishable.

38. If the licensee shall be convicted on prosecution before a Magistrate of any offence against the Excise Act, or other law for the time being in force and relating to the Excise Revenue, or any other enactment, it shall be lawful for the Deputy Commissioner to declare his license forfeited.

39. All sums payable by the licensee may be deducted from the amount of his deposit, or recovered by attachment and sale of the property of the licensee or his surety, under any law for the time being in force for the recovery of arrears of Land Revenue.

40. Any sums deducted by the Deputy Commissioner under the powers herein contained from the deposit made by the licensee for due performance of the lease, shall be replaced by him or his surety within 15 days from the receipt of a notice from the Deputy Commissioner informing him of such deductions having been made.

41. The licensee shall be bound by any additional general rules which may, from time to time, be prescribed under the Excise Laws now in force, or which may hereafter be enacted, and shall, on requisition by the Deputy Commissioner, or other officer duly authorized by him, deliver up his license for amendment or for the issue of a fresh license accordingly.

Dated _____ day of _____

Deputy Commissioner.

No.—Counterpart agreement to be executed by Toddy farmer in the District.

Having been appointed by the Deputy Commissioner of the District of _____ the renter of the exclusive privilege of vending toddy in the toddy farm of _____ in the Taluk of _____

from the 1st day of _____ day of _____ 18 _____ to the

I, _____ son of _____ residing at _____, do for myself, my heirs, my legal representatives and assigns hereby agree with the said Deputy Commissioner that I will well and truly observe and perform the conditions and stipulations contained in the license No. _____, dated the _____ day of _____ 18 _____ issued to me by the said Deputy Commissioner.

Dated the _____ day of _____ 18 _____

(Signature.)

B.

RETAIL TODDY LICENSE.

Register No.

Name of License-Holder.

Name of Vendor or Shopman.

Locality. { Taluk.
 { Village.
 { Street and Door No.

I, _____, Deputy Commissioner of the _____ District, do hereby grant a license for the retail vend of toddy to _____ in the Taluk of _____ in the District of _____, on the following conditions as well as those specified in the agreement executed by the farmer :—

I. This license is not transferable by sale, gift, mortgage or otherwise, and no persons other than those mentioned in the license shall have power to act under it.

II. The license-holder shall obtain his toddy from the Government farmers. All toddy removed from the farm shall be covered by a permit granted by an officer or other person duly authorized in this behalf, and the conditions thereof shall be strictly observed by all the parties concerned.

III. Sale of toddy shall be made only in the shop for which this license is granted and not elsewhere, upon any pretext whatever.

IV. Diluted or adulterated toddy shall not be sold, nor shall toddy be sold after the expiration of two days from the date on which it was drawn. If the vanam or grove be within 10 miles, the toddy shall not be more than 24 hours old; if 20 miles, it shall not be more than 48 hours old; if obtained from places further off, it should be dawked in carts or pakali bullocks or ponies, &c.

V. The license-holder shall not give toddy in any quantity whatever, either directly or indirectly, to any European Non-Commissioned Warrant Officer, or private soldier, or to any European, East Indian, or Native woman wearing European clothing connected with or related to men of these classes. He shall not permit disorderly behaviour in his shop or premises, nor suffer any gambling whatever therein, and shall not knowingly permit persons of bad character to meet therein, nor permit any person to take toddy in any such quantity as to produce intoxication. He shall also furnish, when called upon, information of suspicious characters to the Magistrate or Police Officer. He shall further be prohibited from knowingly selling or giving toddy to any person under 12 years of age.

VI. The license-holder shall not sell to any person more than 3 measuring seers of toddy to be consumed in the shop. Unless he holds a pass, he shall not allow any one to take out of his shop more than one Imperial quart, with the exception of bakers who are permitted to purchase and remove the quantity of toddy specified in the pass held by them.

VII. The license-holder shall not sell toddy on credit but only for ready money, and shall not receive grain, jewels, goods, wearing apparel or any other property in barter or pawn. The shop shall be closed by 9 P. M., and not opened before 6 A. M., unless under special permission of the Taluk Magistrate on occasions of Native festivals, &c.

VIII. Where toddy is sold in a building, it shall have only one door, and no windows, &c., shall be allowed in its rear or at the sides. The bar where toddy is sold shall be opposite to the entrance door, and so situated that all persons inside the shop can be seen by any one passing to and fro in the street, and no second room shall be kept open for customers.

IX. The license-holder shall not sell toddy at rates lower than the minimum price fixed hereunder:—

In District Head-quarters per measuring seer as fixed in the
farmer's lease. In kasabas of Taluks per measuring
seer. In villages per measuring seer. Sign-boards with the names of
the farmer, the license-holder and vendor painted thereon, shall be affixed to a conspicuous part in front of the shop.

(a) He shall keep an account of toddy received and sold daily.

(b) The seer which regulates the foregoing prices shall be equal to an Imperial quart, twenty-four whereof shall go to one gada.

X. This license is granted subject to the conditions aforementioned, and subject further to the terms of the agreement executed by the farmers in so far as they may be applicable to the holder of this license and subject to the provisions of the rules already published or which may hereafter be published, under the provisions of the Excise Act XXII of 1881 or any other Regulation for the time being in force.

XI. The Deputy Commissioner of the District may, on occasion of troops marching through, or whenever a serious disturbance of the public peace is apprehended on reasonable grounds, cause all toddy shops in the immediate vicinity to be kept closed for such time as he shall direct.

XII. This license shall continue in force till the 18 and no longer.

Dated

189 .

Deputy Commissioner,
District.

COUNTERPART AGREEMENT TO BE EXECUTED BY RETAIL TODDY SHOP-KEEPERS.

I, _____ residing at _____ having
been licensed by the Deputy Commissioner of _____ District to sell
toddy in the shop at _____ in the
Taluk of _____ from _____ day of _____
189 to _____ day of _____ 189, do for myself, my
heirs, my legal representatives and assigns, hereby agree with the said Deputy
Commissioner, that I will well and truly observe and perform the conditions and
stipulations contained in the license No. _____ dated the _____ day of
189, issued to me by the said Deputy Commissioner.

Dated the

day of

189 .

(Signature.)

C.

(ಗುತ್ತಿಗೆದಾರರಲ್ಲಿ ಇಟ್ಟುಕೊಳ್ಳತಕ್ಕ ಪ್ರತಿ.)

ನಂಬರು ಮಾಹ ನೇ ತಾರೀಖು 189 ನೇ ಇಸವಿ
ತಾಲ್ಲೂಕು ಮಜಕೂರು ತಾಲ್ಲೂಕು ಬ್ರಹ್ಮರೇ ಅಭಿಮಗ
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ಲೋಕಲ್ ನೆಸ್ಸು
ಖಡ್ಗಿ
ನೋಟೀಸ್ ಫೀ
ಜಾಮಾ
ಗುತ್ತಿಗೆದಾರ ಯಾ ಯೇಜಂಟ್ ರುಜಾ
189 ನೇ ಮಾಹ ನೇ ತಾರೀಖಿನಲ್ಲಿ ದಾಖಲಾಗಿ ಖಜಾನೆ
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ಸರಾಫನ ರುಜಾ.

ನಗರೀ ಗುಮಾಸ್ತರ ರುಜಾ

C.

(ಡಿಬ್ಬಿ) ಕೃಷಿಬಾಜಿನಿಗೆ 'ಸ' ಲೆಖ್ತ ದೊಡನೇ ರವಾನಿಸತಕ್ಕ ಪ್ರತಿ.

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ಸರಾಫನ ರುಜಾ.

ನಗರೀ ಗುಮಾಸ್ತರ ರುಜಾ

C.

(ಡಿಬ್ಬಿ) ಕೃಷಿ ಕಛೇರಿಗೆ ಕಳುಹಿಸತಕ್ಕ ಪ್ರತಿ.

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ಸರಾಫನ ರುಜಾ.

ನಗರೀ ಗುಮಾಸ್ತರ ರುಜಾ